

# Exhibit J-1

## “Informal, BP-8”

**Response to Informal Resolution Form**

Inmate: **SCHULTE, Joshua**  
Register Number: **79471-054**

This is in response to your March 6, 2019 Informal Resolution Form, in which you allege you are not receiving adequate discovery review time due to the short battery life of your laptop. You request access to a power outlet.

For security reasons, there are no power outlets in cells on your housing unit. We will reach out to the U.S. Attorney's Office to explore other options, e.g. a spare battery and charger.

If you are not satisfied with this response, you may address your grievance through the administrative remedy program.

3/20/2019  
Date

  
Unit Manager

NYM 1330.7  
ATTACHMENT 1

**METROPOLITAN CORRECTIONAL CENTER, NEW YORK  
ADMINISTRATIVE REMEDY PROCEDURE FOR INMATES**

**INFORMAL RESOLUTION FORM (BP-8)**

**NOTE TO INMATE:** With the exception of sensitive issues and DHO appeals, you are advised that prior to receiving and filing a Request for Administrative Remedy Form BP229(13) (old BP-9), you **MUST** attempt to informally resolve your complaint through your correctional counselor. Additionally, in accordance with P.S. 1330.13, you have the responsibility to present complaints in good faith and in an honest and straightforward manner. Before completing this form, you should make every effort to honestly attempt to informally resolve this matter verbally with staff. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally.

Date form issued and initials of Corr. Counselor: \_\_\_\_\_

**INMATE'S COMMENTS:**

1. Complaint: Insufficient Discovery review and inability to work on own defense. The informal complaint was to obtain discovery which has since been received. Officers have provided laptop when requested, however, the laptop lasts less than 2 hours due to battery life and external drives that drain battery. Normal law library discovery review outside SAMS was 6 hours per day - but now I only get 2. I request power outlet to power laptop in the cell to facilitate 24/7 case review.
2. Efforts made by you to informally resolve: On Tuesday, Nov 27<sup>th</sup> I sent a list of 35 unconstitutional issues that were reviewed by the warden. I was told the issues would be addressed, but none were.
3. Names of staff you contacted/Date you contacted the staff:  
Proto, Warden, 11/27/18

Date returned to Correctional Counselor: \_\_\_\_\_

Schulte, Joshua      79471954      3/6/19  
Inmate's Name                      Register Number                      Date

**CORRECTIONAL COUNSELOR'S COMMENTS**

1. Efforts made to informally resolve and staff contacted: \_\_\_\_\_

Date informally resolved: \_\_\_\_\_ Counselor Signature: \_\_\_\_\_

Date BP-229(13) Issued: \_\_\_\_\_

Unit Manager: \_\_\_\_\_

# Exhibit J-2

## “MCC, BP-9”

**RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B**

Inmate Name: **SCHULTE, Joshua**  
Reg. No. **79471-054**  
Administrative Remedy Id.: **974084-F1**


This is in response to your Request for Administrative Remedy dated March 28, 2019, wherein you allege you are not receiving sufficient access to review your discovery. You are requesting to have access to an additional battery, an external charger, or an extension cord in your cell.

The U.S. Attorney's Office has provided an extra battery, but we are currently awaiting a solution to charging it while you use your other laptop battery. For security reasons, you will not be provided an extension cord for your cell. Please continue to send written requests to the SHU lieutenant to request discovery time in your unit's law library.

Based on the above information, your request for relief is partially granted.

If you are dissatisfied with this response, you may appeal to the Regional Director, Northeast Region, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7<sup>th</sup> Floor, 2<sup>nd</sup> & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

8/14/19  
Date

  
J. Petrucci, Acting Warden

U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Schulte, Joshua A 79471054 105 MCC  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Insufficient discovery review and inability to work on own defense: The discovery laptop lasts less than 2 hours due to both battery life and external drives that drain battery. Additionally, the discovery itself contains drives that need external power — forcing me to choose between recreation and discovery review on some days since I must be brought into a special room with an outlet. Normal law library discovery review outside SHMs was 6 hours per day — but now I barely get that in 3 days. The law library and other units have power outlets which could solve this issue — or an extension cord — or a large external charger — or additional batteries — there are many possible solutions.

3/28  
DATE

[Signature]  
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



# Exhibit J-3

## “Regional, NE”

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: MAY 22, 2019

*ebf*

*ECUD 6/11*

FROM: ADMINISTRATIVE REMEDY COORDINATOR  
NORTHEAST REGIONAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054  
NEW YORK MCC UNT: 9 QTR: Z07-304LAD  
150 PARK ROW  
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL  
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY  
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 974084-R1 REGIONAL APPEAL  
DATE RECEIVED : MAY 15, 2019  
SUBJECT 1 : ADMINISTRATIVE DETENTION CONDITIONS  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOU DID NOT PROVIDE A COPY OF YOUR INSTITUTION  
ADMINISTRATIVE REMEDY REQUEST (BP-9) FORM ~~OR~~ *and* A COPY  
OF THE (BP-09) RESPONSE FROM THE WARDEN.

REJECT REASON 2: ALL FOUR PAGES OF YOUR (BP-9) (BP-10) (BP-11) FORM MUST BE  
LEGIBLE AND WORDED THE SAME. PHOTOCOPIES OF THE FORM WILL  
NOT BE ACCEPTED.

REJECT REASON 3: SEE REMARKS.

REJECT REASON 4: YOU MAY RESUBMIT YOUR APPEAL IN PROPER FORM WITHIN  
10 DAYS OF THE DATE OF THIS REJECTION NOTICE.

REMARKS : THE BP10 WAS COMPLETED AND SIGNED BY YOU ON 5-1-19.  
THIS IS BEFORE THE DATE THE WARDEN'S RESPONSE WAS  
DUE.

U.S. Department of Justice

## Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schulte, Joshua A 71471054 105 MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL  
 3/28/19 Inadequate Discovery review: I did not receive a response to my BP-9 filed and it has exceeded the 10-day time limitation. My discovery laptop has insufficient battery life (2-3 hrs) mostly due to power drain from external drives containing discovery. Since only lieutenants can retrieve the laptop, it can only be charged once per day. This severely restricts discovery review to only 2-3 hrs per day and therefore violates the 5th amendment due process clause. There are several simple solutions that the MCC has not attempted. One, the SAMs cages can be provided electrical outlets. Sentenced inmates at MCC have access to electrical outlets so pretrial inmates should have the same access. Similarly, non-SAMs pretrial inmates have access to electrical outlets in the unit. It would be an easy solution — and since SAMs inmates are monitored 24/7 on monitors, it's safer and more secure than access to normal electrical outlets in the unit. Alternately, MCC can simply run power cables from the lights to the desks or provide power through extension cables. Finally, MCC could provide "power blocks" that hold 8 hours of charge that inmates can plug laptops into and then give to the lieutenants for charge at night.

5/1/19  
 DATE

Paul Schulte  
 SIGNATURE OF REQUESTER

## Part B - RESPONSE

Returned 6/11  
 DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 974084121

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

\_\_\_\_\_  
 DATE

\_\_\_\_\_  
 SIGNATURE, RECIPIENT OF REGIONAL APPEAL




# Exhibit J-4

## “Central Office”

RCVD  
7/30

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: JULY 19, 2019

  
FROM: ADMINISTRATIVE REMEDY COORDINATOR  
CENTRAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054  
NEW YORK MCC UNT: 9 QTR: Z07-301LAD  
150 PARK ROW  
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL  
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY  
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 974084-A1 CENTRAL OFFICE APPEAL  
DATE RECEIVED : JUNE 19, 2019  
SUBJECT 1 : ADMINISTRATIVE DETENTION CONDITIONS  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE  
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE  
INSTITUTION, REGIONAL OFFICE, OR CENTRAL  
OFFICE LEVEL.

REJECT REASON 2: SEE REMARKS.

REMARKS : MUST RESUBMIT A COMPLETE PACKET AT THE REGIONAL  
LEVEL.



ATTENTION: \* NO BALLPOINT PEN \*  
AS A SAMS INMATE HELD IN  
SOLITARY CONFINEMENT, I HAVE  
NO ACCESS TO A BALLPOINT PEN  
OR PHOTOCOPIER

U.S. Department of Justice

## Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: Schulte, Joshua A 74471054 10S MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Inadequate discovery review: My BP-10 was denied because (1) there was no BP-9 attached, but as I explained, I did not receive a response to my BP-9 within 20 days as required by 28 CFR 542.18, and (2) I did not use a ballpoint pen, but due to SHMs I am denied access to buy pens in commissary and only given an ink cartridge. I cannot help this. I have made every good faith effort to resolve this, but the BOP has not. My discovery laptop has insufficient battery life (2 hrs) mostly due to power drain from external drives containing discovery. Since only lieutenants can retrieve the laptop, it can only be charged once per day. This severely restricts discovery review to only 2 hrs per day and therefore violates the 5th amendment due process clause. There are several simple solutions that the MCC has not attempted. One, the SHMs cages can be provided electrical outlets. Sentenced inmates have access to electrical outlets so pretrial inmates should have the same access. Similarly, non-SHMs pretrial inmates have access to electrical outlets in the unit. It would be an easy solution - and since SHMs inmates are recorded 24/7 on monitors, it's safer and more secure. Alternatively, MCC can simply run power cables from the lights to the desks or provide power through extension cables. Finally, MCC could provide "power blocks" that hold 3 hrs of charge that inmates can plug laptops into and then give to lieutenants for charge.

6/11/19  
 DATE

*Josh Schulte*  
 SIGNATURE OF REQUESTER

## Part B - RESPONSE

RECEIVED

JUN 19 2019

 Administrative Remedy Section  
 Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 774084 A1

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: MAY 22, 2019

*ebf*

*ECUD 6/11*

FROM: ADMINISTRATIVE REMEDY COORDINATOR  
NORTHEAST REGIONAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054  
NEW YORK MCC UNT: 9 QTR: Z07-304LAD  
150 PARK ROW  
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL  
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY  
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 974084-R1 REGIONAL APPEAL  
DATE RECEIVED : MAY 15, 2019  
SUBJECT 1 : ADMINISTRATIVE DETENTION CONDITIONS  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOU DID NOT PROVIDE A COPY OF YOUR INSTITUTION  
ADMINISTRATIVE REMEDY REQUEST (BP-9) FORM ~~or~~ *and* A COPY  
OF THE (BP-09) RESPONSE FROM THE WARDEN.

REJECT REASON 2: ALL FOUR PAGES OF YOUR (BP-9) (BP-10) (BP-11) FORM MUST BE  
LEGIBLE AND WORDED THE SAME. PHOTOCOPIES OF THE FORM WILL  
NOT BE ACCEPTED.

REJECT REASON 3: SEE REMARKS.

REJECT REASON 4: YOU MAY RESUBMIT YOUR APPEAL IN PROPER FORM WITHIN  
10 DAYS OF THE DATE OF THIS REJECTION NOTICE.

REMARKS : THE BP10 WAS COMPLETED AND SIGNED BY YOU ON 5-1-19.  
THIS IS BEFORE THE DATE THE WARDEN'S RESPONSE WAS  
DUE.